

CITY OF PROVIDENCE

PUBLIC NOTICE

ZONING BOARD OF REVIEW

190 DYER STREET

PROVIDENCE, RHODE ISLAND 02903

MARCH 13, 2007

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall on Tuesday, March 27, 2007 at 5:30 P.M. and 7:00 P.M. and Tuesday, April 10, 2007 at 5:30 P.M. and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

Tuesday, March 27, 2007 at 5:30 P.M.

At the February 27, 2007 public hearing, the following members heard and continued for decision the following matter:

KELLY, STROTHER, WOLF, VARIN & UNDERWOOD

THOMAS A. PALANGIO: 238 Doyle Avenue, Lot 10 on the Tax Assessor's Plat 86 located in a Residential R-1 Zone; to be relieved from Section 304 in the proposed conversion of the existing carriage house into a single-family dwelling. The proposed use is permitted within this residential R-1 district. The applicant is requesting a dimensional variance relative to regulations governing the side and rear yard setback requirements. The lot in question contains approximately 2,111 square feet of land area.

Please take notice that by Order of the Superior Court, the above-referenced application, heard by the Zoning Board of Review on Tuesday, February 27, 2007 is deemed amended to request dimensional relief from the alleged merger of Lots 9 and 10 pursuant to Sections 204.2 of the Zoning Code. This request for relief from the merger provision is without prejudice to the relief sought and the claims made by the applicant in Providence County Superior Court Civil Action No. PC 07-0114. Also, the City of Providence's Motion to Join Parties to Claim and Counterclaim in said Providence County Superior Court Civil Action No. PC-0114 (previously scheduled for hearing on February 21, 2007) has been withdrawn without prejudice.

On February 27, 2007, the Board continued the following matters for hearing:

ALLIED INVESTMENTS, LLC: 6-8 Hawthorne Street, Lot 503 on the Tax Assessor's Plat 49 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 200.3, 303-use code 14, 304 and 703.2 in the proposed change in the use of the building from a five-family to a six-family dwelling. The applicant is requesting a use variance in order to expand this legal nonconforming use to include one additional dwelling unit. The R-3 regulations restrict the number of dwelling units to a maximum of three units on a lot having no less than 6,000 square feet of land area. Further relief is being requested from regulations governing the number of parking spaces, whereby this property supports 4 existing parking spaces in the rear yard having access over a shared driveway. The existing five dwelling units require one parking space per unit or five parking spaces, there are 4 existing on-site spaces, one parking space is nonconforming, the proposed new dwelling unit requires 2 parking spaces; therefore this proposal has a shortfall of 2 parking spaces. The lot in question contains approximately 3,458 square feet of land area.

DANIEL SUERO: 36 & 52-54 Erastus Street, Lots 12 & 14 on the Tax Assessor's Plat 63 located in a Residential R-M Multi-Family Zone; to be relieved from Sections 304, 704.2(A) and 705.3 in the proposed subtraction of 1,600 square feet of land area from lot 14 (52 Erastus St. which contains an existing legal nonconforming 4 family dwelling)

thereby reducing the total land area for this lot from 6,400 square feet to 4,800-sq. ft. of land area. The subtracted 1,600 square feet of land from lot 14 would be added to lot 12 (36 Erastus St.) thereby increasing the total lot area of said lot from 3,200-sq. ft. to 4,800-sq. ft. of land area upon which a new 34' x 42' three-family dwelling would be constructed. The applicant is requesting a dimensional variance relative to lot area conformance, whereby in a residential R-M district the minimum lot area requirement is 5,000-sq. ft. Further, the applicant proposes to create a new side yard parking area (southerly side) for 52 Erastus St. (lot 14) containing 6 parking spaces that would sustain the parking requirement for said lot. Additionally, the plan seeks to create a parking area for the proposed new three-family dwelling by paving the southerly side yard and a portion of the rear yard of 36 Erastus St. (lot 12) in order to meet the parking requirement for said new structure. The driveway width for lot 14 is proposed at 17 feet, the maximum allowed width is 15 feet. Relief is being sought from regulations governing access to the parking spaces, whereby several parking spaces would be blocked by vehicles parked in tandem thereby creating no or limited access to some spaces.

LAWTON FAMILY REALTY, LLC, OWNER AND 1921 HARRISON STREET ASSOCIATES, LLC, APPLICANT: 19-21 Harrison Street, Lot 234 on the Tax Assessor's Plat 32 located in a Residential R-3 Three-Family Zone and the Armory Historic District; to be relieved from Sections 201.5, 201.8, 202.4, 303-use code 14, 304, 412.3(A) and

703.2 in the proposed renovation of the existing building (previously used for a warehouse) that would be used for 20 residential units. The applicant is requesting a use variance for the number of dwelling units within this R-3 district and a dimensional variance from regulations governing the expansion of a nonconforming building by dimension; the use restriction, whereby R-3 regulations restrict the number of dwelling units for this site to three units only; the height restriction for a rooftop deck; the setback requirement for rooftop structures; and the parking requirement, whereby 30 parking spaces are required, and 4 on-site parking spaces would be provided. The lot in question contains approximately 9,614 square feet of land area.

On May 16, 2006, the Board continued the following matter for hearing:

MICHAEL F. NASH: 58-60 Pinehurst Avenue, Lot 325 on the Tax Assessor's Plat 120 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 201.6, 201.7, 303-use code 13 and 304 in the proposed expansion of the third floor dwelling unit, of this legally existing three-family dwelling, into the fourth floor. The structure will remain a three-family dwelling. The applicant is requesting a use variance in order to expand the three-floor dwelling unit into the fourth level and a dimensional variance relating to the side yard requirement and the height restriction. The lot in question contains

approximately 4,500 square feet of land area.

Tuesday, March 27, 2007 at 7:00 P.M.

CELESTIAL CHURCH OF CHRIST: 380 Public Street, Lots 398, 397 & 922 on the Tax Assessor's Plat 48 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 304, 425.1(A)(1) and 704.2 in the proposed demolition of the existing church building and the construction of a 92'6" x 50' new church building with support parking. The church use is permitted within this R-3 district. The applicant is requesting a dimensional variance and seeks relief from regulations governing side & rear yards, canopy coverage (amount of trees) and the front yard paving limitation for the parking area. The lots in question contain approximately 14,421 square feet of land area.

LANTERN HOLDINGS, LLC, OWNER AND PREMIER LAND DEVELOPMENT, APPLICANT: 434 & 436 Atwells Avenue, 28 & 34 Knight Street and 17 & 23 Marcello Street, Lots 139, 140, 142, 150, 508 & 969 on the Tax Assessor's Plat 28 located in a Commercial C-1 Zone and a Residential R-3 Three-Family Zone; to be relieved from Section 305 in the proposed expansion of the number of residential units from 43 to 64 dwelling units in a new building to be constructed. The applicant is requesting a dimensional variance and seeks relief from regulations governing minimum lot area per dwelling unit. The lots in question total approximately 33,918 square feet of land area.

OYEDELE A. ENIAYEDUN: 71 & 75 Lowell Avenue, Lots 7 & 8 on the Tax Assessor's Plat 108 located in a Residential R-3 Three-Family Zone; to be relieved from Section 204.2 and 304 in the proposed construction of a 24' x 48' two-family dwelling on lot 7 (75 Lowell Ave.). The existing one-family dwelling on lot 8 (71 Lowell Ave.) will remain unchanged. Both lots each contain approximately 3,938 square feet of land area. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a two-family dwelling on lot 7, which further relief is being sought from regulations governing lot area per dwelling units.

2 EUCLID, LLC, OWNER AND CHIPOTLE MEXICAN GRILL, APPLICANT: 2 Euclid Avenue and 257 Thayer Street, Lot 104 on the Tax Assessor's Plat 13 located in a Commercial C-2 Zone; to be relieved from Sections 305 (footnote 10), 406.1 and 703.2 in the

proposed construction of a new restaurant without liquor license. The existing structure would be demolished. The proposed use is permitted within this C-2 district. The applicant is requesting a dimensional variance from Section 305 (footnote 10), which requires that the building lines at street level shall be coincident with the lot line without setback. At the Euclid Avenue frontage the building would be set back 13.8 feet. Section 703.2 governs the parking provisions, which require one parking space for every 4 seats. The new restaurant would have 74 seats, thus requiring 19 parking spaces, the proposed construction allows for no on-site parking. The lot in question contains approximately 2,738 square feet of land area.

Tuesday, April 10, 2007 at 5:30 P.M.

The Board will meet to review the proposed new Providence Comprehensive Plan.

7:00 P.M.

CIVIC CENTER PARKING ASSOCIATES, LLC, OWNER AND LODGE WORKS, L.P., APPLICANT: 149-157 Washington Street and 132-134 Fountain Street (Property also fronts on Martha Street and Beverly Street has been abandoned), Lots 171 and 174 on the Tax Assessor's Plat 25 located in a Downtown D-1 Zone and the DOWNCITY Overlay District; to be relieved from Section 306.1 in the proposed construction of a new 12-story hotel. The existing structures would

be demolished. The proposed use is permitted within this D-1 district. The applicant is requesting a dimensional variance from the height restriction, which is 100 feet; the new construction would have a height of 132 feet. The lots in question total approximately 14,554 square feet of land area.

MILO MANAGEMENT, LLC, DINO MANAGEMENT, LLC AND JOHN PITOCOCO: 2-14 Milo Street, lots 211, 212, 213 & 542 on the Tax Assessor's Plat 115 located in a Residential R-1 One-Family Zone; to be relieved from Sections 204.2 and 304 pursuant to Section 200 in the proposed reconfiguration of the existing 4 lots into 3 lots and the construction of a single-family dwelling on each new lot. One lot would contain approximately 4,267 square feet of land area and each of the remaining lots would contain 4,266 square feet of land. All lots would be provided with approximately 53 feet of frontage. The applicant is requesting a dimensional variance from regulations governing merger of substandard lots of record and lot size, whereby the lot area provisions require that each new lot contain 6,000 square feet of land area and 60 feet of frontage. The lots in question contain a total of approximately 12,800 square feet of land area.

ROBERT M. TOMASSO: 151 Pleasant Street, Lot 110 on the Tax Assessor's Plat 8 located in a Residential R-2 Two-Family Zone; to be relieved from Section 304 in the proposed subdivision of lot 110 into 2 new lots. One lot would contain approximately 5,166 square feet of land area and a second lot would contain 5,668 square feet. This

proposal meets the lot area requirement, the applicant is requesting a dimensional variance from regulations governing lot width and frontage, whereby 50 feet is required and 45 feet would be provided. The existing lot contains approximately 10,834 square feet of land area.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW. THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.

LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.

PETER D. CARNEVALE, SECRETARY
(401) 421-7740 EXT. 376